

HOUSE BILL 2619

By Gilmore

AN ACT to amend Tennessee Code Annotated, Title 37, Chapter 1, Part 1; Title 37, Chapter 5, Part 1 and Title 49, relative to educational services for delinquent or unruly children detained in certain facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-5-119, is amended by inserting the language “, juvenile detention facilities, community residential programs,” following the words “youth development centers” wherever such words appear.

SECTION 2. Tennessee Code Annotated, Section 37-5-119, is further amended by adding the following language as a new subsection (i):

(i) The commissioner of children’s services shall file a report annually with the speakers of the house and the senate and any other member of the general assembly requesting the report, which shall detail with specificity the number of children receiving services at each school composing the special school district, where such schools are located, the effectiveness of programs offered through the special school district, any recommendations for changes in providing services through the special school district, and any other data or information which the commissioner deems essential to rate the effectiveness of such programs. Effectiveness may be assessed by analyzing academic indicators, including test scores, readiness assessments, curriculum evaluation, performance on the Tennessee comprehensive assessment program (TCAP), and performance on the gateway tests.

SECTION 3. Tennessee Code Annotated, Section 37-1-116(a), is amended by deleting the word “or” at the end of subdivision (3) and substituting instead the following language

provided that, the court shall require that any child up to the age of eighteen (18) detained in such a facility shall continue to be provided educational services that comply with state law and the policies, standards, and guidelines of the state board of education. The commissioner of education may grant waivers for such provisions of the laws, policies, standards, regulations or guidelines which cannot be complied with because of the nature of the facility in which the child is detained on an annual basis and in response to the commissioner' of children' services written request and justifications. Such exceptions shall be in writing; or

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.